

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

OTO ANALYTICS, LLC,

Plaintiff,

v.

BENWORTH CAPITAL PARTNERS PR  
LLC, BENWORTH CAPITAL PARTNERS  
LLC, BERNARDO NAVARRO and  
CLAUDIA NAVARRO,

Defendants.

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Civil Action No. 23-01034

**DECLARATION OF ALEXANDER L. CHENEY IN SUPPORT OF PLAINTIFF  
WOMPLY'S OPPOSITION TO BENWORTH CAPITAL PARTNERS PR LLC'S AND  
BENWORTH CAPITAL PARTNERS LLC'S MOTIONS TO DISMISS**

I, Alexander L. Cheney, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a member of the bars of California and New York, am admitted *pro hac vice* in the United States District Court for the District of Puerto Rico, and am an attorney at the law firm of Willkie Farr & Gallagher, LLP, counsel for Plaintiff Oto Analytics, LLC, d/b/a Womply (f/k/a Oto Analytics, Inc.) ("**Womply**").

2. I respectfully submit this declaration in support of Womply's Opposition to Defendant Benworth Capital Partners PR LLC's and Defendant Benworth Capital Partners LLC's ("**Benworth FL**") Motions to Dismiss in the above-captioned action.

3. In the JAMS arbitration between Womply and Benworth FL, JAMS Ref. No. 1210038203, the fact hearing was held on March 20–28, 2023, and closing arguments are scheduled for June 15, 2023.

4. Attached hereto as Exhibit 1 is a true and correct copy of an email thread between counsel for Womply and counsel for Benworth FL and Defendant Bernardo Navarro, dated April 5 to April 13, 2023.

5. Attached hereto as Exhibit 2 is a true and correct copy of a certified English translation of the Puerto Rico Supreme Court's decision in *Sucesión Almazán v. López*, 20 P.R. Dec. 537, 1914 WL 5079 (1914).

6. Attached hereto as Exhibit 3 is a true and correct copy of an official English translation of the Puerto Rico Supreme Court's decision in *De Jesus Díaz v. Carrero*, 112 P.R. Dec. 631, 12 P.R. Offic. Trans. 786 (1982), which was obtained from Westlaw.

Executed this 24<sup>th</sup> day of April 2023 in San Francisco, California.

/s/ Alexander L. Cheney  
Alexander L. Cheney